

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MIKAEL M. SAFARIAN

Plaintiff,

v.

AMERICAN DG ENERGY INC. et al,

Defendant.

Civ. No. 10-6082

VERDICT SHEET

1. Has Plaintiff proven, by a preponderance of the evidence, that, under the law, he was an employee of ADG at the time of his termination?

YES _____ NO X

If your answer is "No," please report that you have concluded your deliberations.

If your answer is "Yes," proceed to Question 2.

2. Has Plaintiff proven, by a preponderance of the evidence, that he had a reasonable belief that ADG was intentionally committing fraud by overbilling customers?

YES _____ NO _____

If your answer is "No," please report that you have concluded your deliberations.

If your answer is "Yes," proceed to Question 3.

3. Has Plaintiff proven, by a preponderance of the evidence, that he reported ADG's policy of overbilling customers by fraud to any government authority or ADG senior corporate management?

YES _____ NO _____

If your answer is "No," please report that you have concluded your deliberations.

If your answer is "Yes," proceed to Question 4.

4. Has Plaintiff proven, by a preponderance of the evidence, that ADG terminated Plaintiff for complaining about ADG's practice of overbilling customers by fraud in violation of a clear mandate of public policy?

YES _____ NO _____

If your answer is "No," or "Yes," please report that you have concluded your deliberations.

Dated: February 14, 2017

Signature of Foreperson